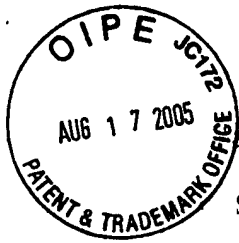


8-19-05

Docket No. 1232-4423US1

2155
rw**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Akihito MOCHIZUKI

Group Art Unit: 2155

Serial No.: 09/588,495

Examiner: Bharat BAROT

Filed: June 7, 2000

Confirmation No.: 9609

For: DATA COMMUNICATION APPARATUS AND METHOD

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☒ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is provided as follows:

Item	Reference
AA	Abstract for Japanese Patent Application Laid-Open No. 08-032617
BB	Abstract for Japanese Patent Application Laid-Open No. 07-191968
CC	Abstract for Japanese Patent Application Laid-Open No. 06-311321
DD	Abstract for Japanese Patent Application Laid-Open No. 08-286847
EE	Abstract for Japanese Patent Application Laid-Open No. 02-172348
FF	Abstract for Japanese Patent Application Laid-Open No. 09-034772
GG	Office Action for counterpart Japanese application No. 09-035129

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or

submitted to the Patent and Trademark Office in application Serial No. , filed
which is a divisional of application serial no. , filed .

4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - ☐ 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
 - ☐ Charge the fee to Deposit Account No. 13-4500, Order No. 1232-4864. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition

To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);

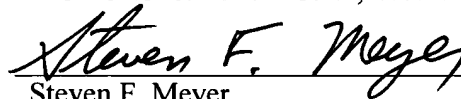
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
- c. ☐ The fees due under 37 C.F.R. §§1.17(h) and 1.17(p) are paid as set forth in paragraph 11 below.
9. ☒ I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ This document is accompanied by ☐ a Search Report ☐ Communication which was cited in (a) corresponding ☐ PCT or ☐ Foreign counterpart application(s):
_____.
11. ☐ A check in the amount of \$ 180.00 is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4423US1.

Dated: August 17, 2005

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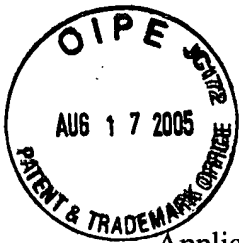
Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

By:



Steven F. Meyer

Registration No. 35,613



Docket No. 1232-5346

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Akihito MOCHIZUKI

Group Art Unit: 2155

Serial No.: 09/588,495

Examiner: Bharat BAROT

Filed: June 7, 2000

For: DATA COMMUNICATION APPARATUS AND METHOD

EXPRESS MAIL CERTIFICATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: **EV 455 195 280 US**

Date of Deposit: **August 17, 2005**

I hereby certify that the following attached paper(s) and/or fee

1. Information Disclosure Statement;
2. USPTO Form 1449;
3. Return receipt postcard.
4. Japanese Patent Application Laid-Open No. 08-032617 with Abstract.
5. Japanese Patent Application Laid-Open No. 07-191968 with Abstract.
6. Japanese Patent Application Laid-Open No. 06-311321 with Abstract.
7. Japanese Patent Application Laid-Open No. 08-286847 with Abstract.
8. Japanese Patent Application Laid-Open No. 02-172348 with Abstract.
9. Japanese Patent Application Laid-Open No. 09-034772 with Abstract.
10. Office Action for counterpart Japanese application No. 09-035129

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jason Stowe

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:
1232-4423US1Serial No.:
09/588,495Applicant:
Akihito MOCHIZUKIFiling Date:
June 7, 2000Group Art Unit:
2155

U.S. PATENT DOCUMENTS

Examiner Initial	Item	Patent or Publication Number	Issue/ Publication Date	Name	Class	Sub-Class	Filing Date
	1						
	2						
	3						
	4						
	5						

FOREIGN PATENT DOCUMENTS

Examiner Initial		Patent Number	Publication Date	Country	Class	Sub-Class	Translation
	A	08-032617	2/2/96	Japan	H04L	12/54	Abstract
	B	07-191968	7/28/95	Japan	G06F	17/21	Abstract
	C	06-311321	11/4/94	Japan	H04N	1/12	Abstract
	D	08-286847	11/1/96	Japan	G06F	3/12	Abstract
	E	02-172348	7/3/90	Japan	H04L	12/54	Abstract
	F	09-034772	2/7/97	Japan	G06F	12/00	Abstract
	G						
	H						
	I						
	J						

OTHER DOCUMENTS (Including Author, Title, Date, etc.)

AA	Abstract for Japanese Patent Application Laid-Open No. 08-032617
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GG	Office Action for counterpart Japanese application No. 09-035129
HH	
II	
JJ	
KK	
LL	

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.
Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.